

**INTERNATIONAL SEARCH REPORT**

International application No.

PCT/US04/39673

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC(7) : A61K 31/44, 31/42; C07D 471/02, 471/06  
US CL : 514/293, 303; 546/82, 118

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
U.S. : 514/293, 303; 546/82, 118

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
EAST; STN Registry, Chemical Abstracts

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6,573,273 A (CROOKS et al) 03/ June 2003 (03.06.2003), claims.	1-31
X	US 6,656,938 A (CROOKS et al) 02 December 2003 (02.12.2003), claims.	1-31



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier application or patent published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means		
"P" document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

01 September 2005 (01.09.2005)

Date of mailing of the international search report

15 NOV 2005

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Facsimile No. (703) 305-3230

Authorized officer

*Margaret Seahan*

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From the  
INTERNATIONAL SEARCHING AUTHORITY

PATENT COOPERATION TREATY

REC'D 17 NOV 2005

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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference  59787WO005		Date of mailing (day/month/year)  15 NOV 2005
FOR FURTHER ACTION See paragraph 2 below		
International application No.  PCT/US04/39673	International filing date (day/month/year)  24 November 2004 (24.11.2004)	Priority date (day/month/year)  25 November 2003 (25.11.2003)
International Patent Classification (IPC) or both national classification and IPC  IPC(7): A61K 31/44, 31/42; C07D 471/02, 471/06 and US Cl.: 514/293, 303; 546/82, 118		
Applicant  3M INNOVATIVE PROPERTIES COMPANY		

1. This opinion contains indications relating to the following items:

- |                                     |              |                                                                                                                                                                      |
|-------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion                                                                                                                                                 |
| <input type="checkbox"/>            | Box No. II   | Priority                                                                                                                                                             |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability                                                                     |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention                                                                                                                                           |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited                                                                                                                                              |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application                                                                                                                     |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application                                                                                                                |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.  
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US  Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Date of completion of this opinion  01 September 2005 (01.09.2005)	Authorized officer  J/M Margaret Seaman <i>Jeanne D. Seaman</i>
		Telephone No. 703-308-1235

Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/39673

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:  
 the international application in the language in which it was filed  
 a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 on paper  
 in electronic form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in electronic form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US04/39573

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims <u>NONE</u>	YES
	Claims <u>1-31</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-31</u>	NO
Industrial applicability (IA)	Claims <u>1-31</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and explanations:**

Claims 1-31 lack novelty and inventive step under PCT Articles 33(2-3) as being anticipated or made obvious by Crooks. Crooks teaches imidzo compounds that are used as antivirals and anti-neoplastic compounds having the same core as is instantly claimed.

Claims 1-31 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.